



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

DEC 21 2012

Andréa Martin  
Environmental Protection Specialist  
Federal Railroad Administration  
1200 New Jersey Avenue Southeast (Mail Stop 20),  
Washington, DC 20590

Dear Ms. Martin:

RE: Draft Environmental Impact Statement for Chicago to Council Bluffs - Omaha Regional Passenger Rail System Planning Study Tier 1 Service Level, from Chicago, Illinois through Iowa and Omaha, Nebraska

In accordance with our responsibilities under Section 309 of the Clean Air Act and the National Environmental Policy Act, the U.S. Environmental Protection Agency Regions 5 and 7, have reviewed the Federal Railroad Administration's Draft Environmental Impact Statement on the Planning Study for the Regional Passenger Rail System. This DEIS was assigned a Council on Environmental Quality identification number of 20120354.

Our review has concluded that adequate analysis of environmental issues relevant to the selection of the preferred alternative was performed. Therefore, EPA has assigned a rating of Lack of Objections to the DEIS. A copy of EPA's rating system is enclosed for your information.

To assist the FRA in enhancing the Final EIS, and to focus Tier II analysis, EPA provides the following comments:

1. Coarse and Fine level screening occurred within corridors that were 500 foot wide and 100 foot wide (plus a buffer of 25-50 feet), respectively (ES. 3.2.1, ES. 3.2.2.2). However the table of impact (ES-1) does not clearly indicate at what scale the potential impacts are accounted. EPA recommends that the FEIS more clearly describe the study envelopes of: existing Right of Way, Right of Way (plus any additional included study area) for the fine screening, and the 500 foot study area in the coarse screening.
2. ES. 4.22 (Energy Use and Climate Change) predicts considerable decreases in automobile and bus passenger-miles per year and resultant decreases in greenhouse gasses. This section also predicts an automobile fuel decrease of approximately 12 million gallons. Does these predictions account for the increased diesel fuel usage for the rail system?
3. Section 2.2.2.2 (Station Stops). Vitrally important to air quality analysis in Tier II studies, will be the amount of time spent by the train at these stations, the emission factors of the locomotives while idling, the land-use/human population at that location, and the baseline air quality condition (attainment/non-attainment/maintenance) at those stops. EPA invites FRA to use of



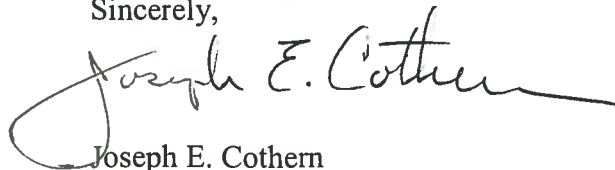
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spatial data tools such as NEPAssist (<http://nepassisttool.epa.gov/nepassist/entry.aspx>) to help convey the potential impact of rail system pollutant sources upon receptors near these stops.

4. Section 3.10.2 provides some general information on three Superfund sites. For additional information on these sites, and most recent points-of-contact please refer to the following fact sheets: [http://www.epa.gov/region07/cleanup/npl\\_files/ia0001610963.pdf](http://www.epa.gov/region07/cleanup/npl_files/ia0001610963.pdf), [http://www.epa.gov/region07/cleanup/npl\\_files/ia0001610963.pdf](http://www.epa.gov/region07/cleanup/npl_files/ia0001610963.pdf) and, [http://www.epa.gov/region07/cleanup/npl\\_files/ia0001610963.pdf](http://www.epa.gov/region07/cleanup/npl_files/ia0001610963.pdf).
5. The Draft EIS states that there will be a connection built for the BNSF and Amtrak lines and ancillary facilities built around Wyanet, Illinois. Currently, there are no existing facilities, nor a connection between BNSF and Amtrak lines. Further examination and information related to environmental and public health impacts should be included in the Tier II documents. This analysis should include noise, air emission (especially diesel), storm water run-off, implications to local traffic and any impacts to sensitive populations.

Thank you for the opportunity to review and provide comments on the DEIS. If you have questions or require additional clarification, please contact Shanna Horvatin at 312-886-7887, or myself at 913-551-7148.

Sincerely,

A handwritten signature in black ink, reading "Joseph E. Cothorn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joseph E. Cothorn  
NEPA Team Leader

cc: Amanda Martin, Freight and Passenger Rail Policy Coordinator, Office of Rail Transportation  
Iowa Department of Transportation, 800 Lincoln Way, Ames, IA 50010

## **Draft Environmental Impact Statement Rating Definitions**

### **Environmental Impact of the Action**

#### **"LO" (Lack of Objections)**

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### **"EC" (Environmental Concerns)**

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### **"EO" (Environmental Objections)**

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative. EPA intends to work with the lead agency to reduce these impacts.

#### **"EU" (Environmentally Unsatisfactory)**

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

### **Adequacy of the Impact Statement**

#### **"Category 1" (Adequate)**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### **"Category 2" (Insufficient Information)**

The draft EIS does not contain sufficient information for EPA to fully assess

environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.